

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MELECIO CARDONA,

No. C 13-03551 SBA (PR)

Petitioner,

**ORDER OF DISMISSAL**

v.

WARDEN CASH,

Respondent.

Petitioner, a state prisoner, filed this pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner had a pending habeas action with this Court challenging the same conviction and raising the same claims as in the instant petition. See Case No. C 13-02807 SBA (PR). In an Order dated July 26, 2013 in Case No. C 13-02807 SBA (PR), this Court determined that Petitioner challenged a conviction and sentence incurred in the Ventura County Superior Court, which is in the venue of the Central District of California. Therefore, the petition in Case No. C 13-02807 SBA (PR) was transferred to the Western Division of the United States District Court for the Central District of California. On August 6, 2013, the Central District acknowledged receipt of that petition and filed it under Central District Case No. 2:13-cv-05645.

Accordingly, the instant petition is DISMISSED as a duplicate petition to the petition filed in Central District Case No. 2:13-cv-05645. Therefore, this Court directs the Clerk of the Court to mail the petition in this action (docket no. 1) to the Western Division of the United States District Court for the Central District of California and indicate that it is a supplement to the petition in Central District Case No. 2:13-cv-05645.

The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Petitioner's case. The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

DATED: 8/26/2013

  
SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE